

### **Remarks/Arguments**

Applicant has amended the Title in accordance with the Examiner's request. Examiner is free to propose an alternative title if the amended title still raises an objection by the Examiner.

Applicant has amended the Field of the Invention in accordance with the Examiner's request. Examiner is free to propose alternative text to the Field of Invention if the amendment still raises an objection by the Examiner.

#### **I. 35 U.S.C. § 112, First Paragraph Rejection**

The Examiner rejected Claims 1-23 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. Applicant disagrees with this rejection.

Specifically, the Examiner rejects Claims 1-23 as the specification fails to disclose, "how the method steps as recited in the claim combination are able to facilitate communication between different networks in a bi-directional communication system," (Office Action, page 2, second paragraph). The Examiner states that the specification fails to explain how the flow chart of Figure 3 can be used to facilitate communications between different networks.

Controller 60 (from Figure 2) is described on page 11, line 1 of the specification as operating with system 12 as to employ the method of Figure 3. The specification states that controller 60 is used to facilitate communication to allow a CPE device to conduct both "concurrent Internet and local communication". Steps 400, 403, 405, 410, and 415 are then described in the specification as operating with controller 60 (see specification page 11, line 1 to page 12, line 32). Applicant believes that the specification does indicate how the method shown in Figure 3 operates for communicating data between different networks. Applicant further notes that specification describes the operation of the cable modem 12 in which controller 60 resides for enabling communications between CPE equipment and the Internet (see specification, page 3, line 27 to page 9, line 14). Applicant requests that the Examiner remove the rejection to the Claims.

**II. 35 U.S.C. § 112, Second Paragraph Rejection**

The Examiner rejected Claims 1-23 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter in which Applicant regards as the invention. Applicant disagrees with this rejection.

The Examiner rejected Claim 1-5 stating that the claimed hierarchical protocol layers fail to "facilitate communicating packetized data between different networks". Applicant notes that the claimed "hierarchical protocol layers" is used to describe the claimed different networks. The claim is structured to claim that each of the different networks uses a communication protocol composed of hierarchical layers, as shown in Figure 7. Applicant notes that Claims 21-23 allowable for the same reasons as Claim 1-5.

The Examiner's rejection to Claim 6 states that provides there is no step recited for determining a MAC address. Applicant notes that the claimed redirection step supplies a second protocol layer address "in response to said address match".

The Examiner also rejected Claims 6-17 as being unclear because the preamble to Claim 6 claims a "method for processing IP data". Specifically, the Examiner states that there are no steps directed towards processing IP data. Applicant disagrees. For example, Claim 6 claims a method for a bi-directional communication device using IP data, where IP data is known as being a specific type of data. Furthermore, the method steps are directed towards redirecting the payload of an IP packet to a second protocol layer address from an IP destination address located in a first protocol layer. Applicant believes that the Claim 6 does describe a method for processing IP data.

The Examiner rejected Claims 18-20 as being unclear. Specifically, the Examiner states that there are no method steps directed towards initiating an Application. Independent Claim 18 claims a step of comparing "a received IP packet destination with a predetermined IP address to determine if there is an address match". If an address is matched, the claim then states that the payload of the packet is conveyed "to a second destination and initiating an Application". Applicant asserts that that Claim 18 does show a series of steps to initiate an Application.

Applicant also notes that the comparison step of Claim 18 does not claim that the "payload data already reaches the destination" in the comparison step, as written on page 3, paragraph 3 of the Office Action. Claim 18 does claim that the payload data of a received IP packet is conveyed to a first destination in the absence of an address match, and the payload data of the IP packet is conveyed to a second destination if the address does match a predetermined IP address.

Applicant requests that the Examiner remove the rejection to Claims 1-23 for the reasons stated above.

### **III. 35 U.S.C. § 103(a) Rejection of Claims 1-23**

The Examiner rejected Claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over Slemmer et al. (U.S. Patent # 6,377,990, after referred to as 'Slemmer'). Applicant disagrees with this rejection.

Specifically, the Applicant does not understand the nature of the rejection, as the Examiner does not establish a prima facie under 35 U.S.C. § 103 as to indicate how the Slemmer reference with the Examiner's non-art rejection renders all the claimed elements of Claims 1-23 obvious. M.P.E.P. § 706.02(j) requires that the Examiner establish that the cited prior art reference or references "must teach or suggest all of the claim limitations.

In the Office Action, the Examiner broadly rejects Claims 1-23 without disclosing or suggesting how Slemmer in combination with the Examiner's suggestion about applications and workstations teach or suggest all of the claimed limitations of Claims 1-23.

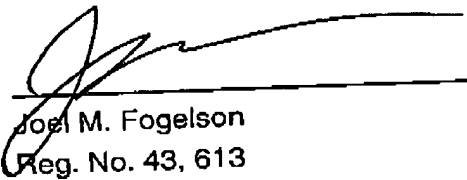
For the reasons listed above, the Applicant requests that the Examiner remove the rejection to the Claims or disclose how the cited combination teach or suggest all of the claim limitations of Claims 1-23.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application is in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the

Examiner is invited to contact the Applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

A fee for the requested three-month extension is to be charged to deposit account 07-0832, as indicated in the fee sheet being submitted with this response. A request for a three-month extension is also being submitted with this response, on a separate paper. Any other fees that are owed in connection with this response are to be charged to deposit account 07-0832.

Respectfully submitted,

  
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